

information, charges will be based on the direct cost to the Library, including labor, material, and computer time.

(b) Duplication of Records. Fees charged for the duplication of records shall be according to the prevailing rates established by the Library's Photoduplication Service, or in the case of machine media duplication, by the Resources Management Staff, Information Technology Services.

(c) Certifications. The fee charges for certification of a record as authentic or a true copy shall be \$10.00 for each certificate.

(d) Other Charges. When no specific fee has been established for a service required to meet the request for records, the Chief, Office Systems Services, shall establish an appropriate fee based on direct costs in accordance with the Office of Management and Budget Circular No. A-25.

PART 704—NATIONAL FILM REGISTRY OF THE LIBRARY OF CONGRESS

Subpart A—Films Selected for Inclusion in the National Film Registry

Sec.

704.10 Criteria for the selection of films for inclusion in the National Film Registry.

704.11 Procedures for the public to recommend films for inclusion in the National Film Registry.

704.20 Films selected for inclusion in the National Film Registry in the Library of Congress for 1989.

704.21 Films selected for inclusion in the National Film Registry in the Library of Congress for 1990.

704.22 Films selected for inclusion in the National Film Registry in the Library of Congress for 1991.

704.23 Films selected for inclusion in the National Film Registry in the Library of Congress for 1992.

704.24 Films selected for inclusion in the National Film Registry in the Library of Congress for 1993.

Subpart B [Reserved]

AUTHORITY: Public Law 102-307, 106 Stat. 267 (2 U.S.C. 179).

Subpart A—Films Selected for Inclusion in the National Film Registry

§ 704.10 Criteria for the selection of films for inclusion in the National Film Registry.

(a) All of the films nominated for inclusion in the National Film Registry

should reflect the mission of the National Film Registry in the Library of Congress, found in section 202 of the National Film Preservation Act of 1992 (Pub. L. 102-307), of "maintaining and preserving films that are culturally, historically or aesthetically significant."

(b) In accordance with the intent of Congress, all of the guidelines for the selection of films in the National Film Registry are intended to be read broadly, so that as many films as possible will be eligible for inclusion in the National Film Registry.

(c) For the purposes of film selection, the term "film" means a "motion picture" as defined in the U.S. copyright law, except, that the term "film" does not include any work not originally fixed on film stock, such as a work fixed on videotape or laser disks. "Motion pictures" are defined in the copyright law as: "audiovisual works consisting of a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sounds, if any." 17 U.S.C. 101.

(d) Films should not be considered for inclusion in the National Film Registry if no element or copy of the film exists. While the Librarian intends to promote the goals of film preservation and restoration provided for in the Act, no film will be denied inclusion in the National Film Registry because that film has already been preserved or restored.

(e) No film is eligible for inclusion in the National Film Registry until 10 years after such film's first publication. "Publication" is defined in the copyright act as: "the distribution of copies or phonorecords of a work to the public by sale or other transfer of ownership, or by rental, lease, or lending. The offering to distribute copies or phonorecords to a group of persons for purposes of further distribution, public performance, or public display, constitutes publication. A public performance or display of a work does not of itself constitute publication." 17 U.S.C. 101.

[58 FR 30708, May 27, 1993]

§ 704.11 Procedures for the public to recommend films for inclusion in the National Film Registry.

(a) The public shall be informed of all open meetings of the National Film Preservation Board.

(b) A mailing address within the Library of Congress will be maintained to allow the public to make nominations of films to the Librarian and the National Film Preservation Board. All nominations should include the film title, and any other relevant information necessary to prevent confusion with similarly named titles.

(c) Materials will be available to congressional offices and members of the Board to make information available to the public regarding nominations of films. Materials will also be made available for distribution to libraries, movie theaters, and through the guilds and societies representing directors, producers, screenwriters, actors, cinematographers, film critics, film preservation organizations and representatives of academic institutions with film study programs, in order to encourage broad participation from the general public. Nominations received by the Librarian, will be forwarded to the Board to assist in the film selection process.

(d) All nominations for inclusion of films in the National Film Registry must be submitted in writing to the Librarian of Congress no later than March 30th of each year. All nominations should be mailed to: National Film Registry, Library of Congress, Washington, DC 20540.

[58 FR 30709, May 27, 1993]

§ 704.20 Films selected for inclusion in the National Film Registry in the Library of Congress for 1989.

(a) The Librarian of Congress, Dr. James H. Billington, after consultation with the National Film Preservation Board registers these films in the National Film Registry within the Library of Congress for 1989:

- (1) The Best Years Of Our Lives (1946)
- (2) Casablanca (1942)
- (3) Citizen Kane (1941)
- (4) The Crowd (1928)
- (5) Dr. Strangelove (or, How I Learned To Stop Worrying And Love the Bomb) (1964)
- (6) The General (1927)

- (7) Gone With The Wind (1939)
- (8) The Grapes Of Wrath (1940)
- (9) High Noon (1952)
- (10) Intolerance (1916)
- (11) The Learning Tree (1969)
- (12) The Maltese Falcon (1941)
- (13) Mr. Smith Goes to Washington (1939)
- (14) Modern Times (1936)
- (15) Nanook Of The North (1922)
- (16) On The Waterfront (1954)
- (17) The Searchers (1956)
- (18) Singin' In The Rain (1952)
- (19) Snow White And The Seven Dwarfs (1937)
- (20) Some Like it Hot (1959)
- (21) Star Wars (1977)
- (22) Sunrise (1927)
- (23) Sunset Boulevard (1950)
- (24) Vertigo (1958)
- (25) The Wizard Of Oz (1939)

(b) In keeping with section 3(c) of the Act, 2 U.S.C. 178b, the Librarian will endeavor to obtain an archival quality copy for each of these twenty-five films for the National Film Board Collection in the Library of Congress.

[55 FR 32570, Aug. 9, 1990]

§ 704.21 Films selected for inclusion in the National Film Registry in the Library of Congress for 1990.

(a) The Librarian of Congress, Dr. James H. Billington, after consultation with the National Film Preservation Board registers these films in the National Film Registry within the Library of Congress for 1990:

- (1) All About Eve (1950)
- (2) All Quiet On the Western Front (1930)
- (3) Bringing Up Baby (1938)
- (4) Dodsworth (1936)
- (5) Duck Soup (1933)
- (6) Fantasia (1940)
- (7) The Freshman (1925)
- (8) The Godfather (1972)
- (9) The Great Train Robbery (1903)
- (10) Harlan County, U.S.A. (1976)
- (11) How Green Was My Valley (1941)
- (12) It's A Wonderful Life (1946)
- (13) Killer Of Sheep (1977)
- (14) Love Me Tonight (1932)
- (15) Meshes Of the Afternoon (1943)
- (16) Ninotchka (1939)
- (17) Primary (1960)
- (18) Raging Bull (1980)
- (19) Rebel Without A Cause (1955)
- (20) Red River (1948)
- (21) The River (1937)
- (22) Sullivan's Travels (1941)
- (23) Top Hat (1935)
- (24) The Treasure Of The Sierra Madre (1948)
- (25) A Woman Under The Influence (1974)

§ 704.22

(b) In keeping with section 3(c) of the Act (2 U.S.C. 178b), the Librarian will endeavor to obtain an archival quality copy for each of these twenty-five films for the National Film Board Collection in the Library of Congress.

[55 FR 52845, Dec. 24, 1990]

§ 704.22 Films Selected for Inclusion in the National Film Registry in the Library of Congress for 1991.

(a) The Librarian of Congress, Dr. James H. Billington, after consultation with the National Film Preservation Board registers these films in the National Film Registry within the Library of Congress for 1991:

- (1) 2001: A Space Odyssey (1968)
- (2) Battle Of San Pietro, The (1945)
- (3) Blood Of Jesus, The (1941)
- (4) Chinatown (1974)
- (5) City Lights (1931)
- (6) David Holzman's Diary (1968)
- (7) Frankenstein (1931)
- (8) Gertie The Dinosaur (1914)
- (9) Gigi (1958)
- (10) Greed (1924)
- (11) High School (1968)
- (12) I Am A Fugitive From A Chain Gang (1932)
- (13) Italian, The (1915)
- (14) King Kong (1933)
- (15) Lawrence Of Arabia (1962)
- (16) Magnificent Ambersons, The (1942)
- (17) My Darling Clementine (1946)
- (18) Out Of The Past (1947)
- (19) Place In The Sun, A (1951)
- (20) Poor Little Rich Girl (1917)
- (21) Prisoner of Zenda, The (1937)
- (22) Shadow Of A Doubt (1943)
- (23) Sherlock, Jr. (1924)
- (24) Tevye (1939)
- (25) Trouble In Paradise (1932)

(b) In keeping with section 3(c) of the Act, 2 U.S.C. 178b, the Librarian will endeavor to obtain an archival quality copy for each of these twenty-five films for the National Film Board Collection in the Library of Congress.

[56 FR 49414, Sept. 30, 1991]

§ 704.23 Films Selected for Inclusion in the National Film Registry in the Library of Congress for 1992.

(a) The Librarian of Congress, Dr. James H. Billington, after consultation with the National Film Preservation Board, registers these films in the National Film Registry within the Library of Congress for 1992:

36 CFR Ch. VII (7–1–99 Edition)

1. Adam's Rib (1949)
2. Annie Hall (1977)
3. The Bank Dick (1940)
4. Big Business (1929)
5. The Big Parade (1925)
6. The Birth of a Nation (1915)
7. Bonnie and Clyde (1967)
8. Carmen Jones (1954)
9. Castro Street (1966)
10. Detour (1946)
11. Dog Star Man (1964)
12. Double Indemnity (1944)
13. Footlight Parade (1933)
14. The Gold Rush (1925)
15. Letter From an Unknown Woman (1948)
16. Morocco (1930)
17. Nashville (1975)
18. The Night of the Hunter (1955)
19. Paths of Glory (1957)
20. Psycho (1960)
21. Ride the High Country (1962)
22. Salesman (1969)
23. Salt of the Earth (1954)
24. What's Opera, Doc? (1957)
25. Within Our Gates (1920)

(b) In keeping with section 206(a) of the Act, 2 U.S.C. 179d(a), the Librarian shall endeavor to obtain an archival quality copy for each of these twenty-five films for the National Film Registry Collection of the Library of Congress.

[59 FR 35034, July 8, 1994]

§ 704.24 Films Selected for Inclusion in the National Film Registry in the Library of Congress for 1993.

(a) The Librarian of Congress, Dr. James H. Billington, after consultation with the National Film Preservation Board, registers these films in the National Film Registry within the Library of Congress for 1993:

1. An American in Paris (1951)
2. Badlands (1973)
3. The Black Pirate (1926)
4. Blade Runner (1982)
5. Cat People (1942)
6. The Cheat (1915)
7. Chulas Fronteras (1976)
8. Eaux D'Artifice (1953)
9. The Godfather, Part II (1974)
10. His Girl Friday (1940)
11. It Happened One Night (1934)
12. Lassie Come Home (1943)
13. Magical Maestro (1952)
14. March of Time: Inside Nazi Germany—1938 (1938)
15. A Night at the Opera (1935)
16. Nothing But a Man (1964)
17. One Flew Over the Cuckoo's Nest (1975)
18. Point of Order (1964)
19. Shadows (1959)

Library of Congress

§ 705.1

20. Shane (1953)
21. Sweet Smell of Success (1957)
22. Touch of Evil (1958)
23. Where Are My Children? (1916)
24. The Wind (1928)
25. Yankee Doodle Dandy (1942)

(b) In keeping with section 206(a) of the Act, 2 U.S.C. 179d(a), the Librarian shall endeavor to obtain an archival quality copy for each of these twenty-five films for the National Film Registry Collection of the Library of Congress.

[59 FR 35035, July 8, 1994]

Subpart B [Reserved]

PART 705—FINANCIAL ADMINISTRATION

AUTHORITY: 5 U.S.C. 5514 and 5 CFR 550.1101.

§ 705.1 Salary offset

(a) *Purpose.* This part describes the rights of current and former staff members in the collection of debts owed to the Federal Government by them and sets out the procedures for collecting debts through deductions from their pay following due process.

(b) *Definitions.*—(1) *Debt* is an amount owed to the U.S. Government from insured or guaranteed loans, fees, leases, rents, royalties, services, sales of real or personal property, overpayments, penalties, damages, interest, fines and forfeitures (except those arising under the Uniform Code of Military Justice), and all other similar sources.

(2) *Disposable pay*, for purposes of this part, means that part of current basic pay, special pay, incentive pay, retirement pay, retainer pay, or other authorized pay remaining after the deduction of any amount required by law to be withheld, such as Federal taxes, retirement, court-ordered payments, and FICA.

(3) *Staff member* refers to current and former employees who owe debts to the Library and/or other Federal Government agencies.

(c) *Procedures*—(1) *Notification of indebtedness.* The Director of Human Resources, or designee, shall notify the staff member, in writing, of the individual's indebtedness to the Library and the intention of the Library to col-

lect this debt by deductions from the individual's pay. This notice shall be given not less than 30 days before any deduction is made. This notice shall state, at a minimum:

(i) The Library's determination that a debt is owed, including the origin, nature, and amount of the debt;

(ii) The Library's intention to collect the debt by means of deduction from the staff member's disposable pay account;

(iii) The amount, frequency, proposed beginning date, and duration of the intended deductions;

(iv) An explanation of the Library's policy concerning interest, penalties, and administrative costs, including a statement that such assessments must be made unless excused;

(v) The staff member's right to inspect and to copy Government records relating to the debt or, if he or she or his or her representative cannot personally inspect the records, to request and receive a copy of such records;

(vi) If not previously provided, the opportunity (under terms agreeable to the Library) to establish a schedule for the voluntary repayment of the debt or to enter into a written agreement to establish a schedule for the repayment of the debt in lieu of offset (the agreement must be in writing, signed by both the staff member and the Library, and documented in the Library's files);

(vii) The staff member's right to a hearing conducted by an official arranged for or engaged by the Library (an administrative law judge or, alternatively, a hearing official not under the control of the Librarian of Congress) if a petition is filed as prescribed by the Library;

(viii) The method and time period for petitioning for a hearing;

(ix) That the timely filing of a petition for hearing will stay the commencement of collection proceedings;

(x) That a final decision on the hearing, if one is requested, will be issued at the earliest practicable date, but not later than 60 days after the filing of the petition requesting the hearing unless the staff member requests and the hearing official grants a delay in the proceedings;

(xi) That any knowingly false or frivolous statements, representations, or